

**REDEVELOPMENT AGENCY MEETING
NOVEMBER 15, 2005**

The meeting was called to order as the City Council at 10:08 a.m. by Deputy Mayor Atkins with Council Member Madaffer not present and Districts 2, 8 and the Mayor vacant.

Roll Call Peters, District 2-vacant, Atkins, Young, Maienschein, Fyre,
District 8-vacant, and Mayor-vacant

P. Lamont Ewell, City Manager
Richard Mendes, Deputy City Manager
Karen Heumann, City Attorney
Elizabeth Maland, City Clerk

The meeting adjourned as the City Council at 10:50 a.m.

The meeting reconvened as the Redevelopment Agency at 10:50 a.m. by Deputy Chair Atkins with Agency Member Madaffer not present and Districts 2, 8 and the Chair vacant.

Non Agenda Comments

None

1. **Approval of the minutes of:**

September 19, 2005, special
September 20, 2005
September 20, 2005, Closed
September 20, 2005, Supplemental

Motion by Member Fyre to approve (with Madaffer not present and Districts 2, 8 and the Chair vacant)
Second by Member Peters
Vote: 5-0

REDEVELOPMENT AGENCY MEETING MINUTES-NOVEMBER 15, 2005

Adoption

2. **Housing Rehabilitation Loan Program in the City Heights Redevelopment Project Area (Districts 3, 4 & 7)**

(RA 2006-26)

Subitem 1. Authorize the appropriation and expenditure of up to \$250,000 in City Heights tax increment housing set aside funds for the administration of the program and to fund rehabilitation loans to owner-occupants in the City Heights Redevelopment Project Area.

Subitem 2. Amend Agreement with respect to the Program Guidelines for the City Heights Redevelopment Project Housing Rehabilitation Assistance Program.

Redevelopment Agency.

Staff: Bob Kennedy 533-4276

Atty: Carol A. Leone

Auditor Certificate number: AC 2600242

No one spoke in opposition to these items.

Motion by Member Young to approve (with Madaffer not present and Districts 2, 8 and the Chair vacant)

Second by Member Atkins

Vote: 5-0

Redevelopment Agency Resolution number R-03969.

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Adoption

3. **Amendment to Redevelopment Bylaws (Districts 1, 2, 3, 4, 5, 6, 7 & 8)**

(RA 2006-44)

Approve the Amendment to the Bylaws of the Redevelopment Agency.

Redevelopment Agency.

Staff: Maureen Ostrye 533-5428

Atty: Susan Cola

No one spoke in opposition to this item.

Motion by Member Fyre to approve (with Madaffer not present and Districts 2, 8 and the Chair vacant)

Second by Member Young

Vote: 5-0

Redevelopment Agency Resolution number R-03970.

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Adoption

4. **Approval of the Fifth Amendment to the Agreement for Legal Services between the Redevelopment Agency of the City of San Diego and Kane, Ballmer & Berkman-Centre City Redevelopment Project (Districts 2, 4 & 8)**

(RA 2006-38)

Approve the Fifth Amendment to the Agreement for legal services by and between the Agency and Kane, Ballmer & Berkman, Special Agency Counsel for \$200,000 for the Southeastern Economic Development Corporation related work and \$250,000 for Centre City Development Corporation related work for a total Agency contract amount not to exceed \$2,972,860.

See Centre City Development Corporation report no. CCDC-05-40, dated October 19, 2005

Staff: David Allsbrook 533-7112

Atty: Susan Y. Cola

Auditor Certificate Number: AC 2600270

No one spoke in opposition to this item.

Motion by Member Peters to approve (with Madaffer not present and Districts 2, 8 and the Chair vacant)

Second by Member Young

Vote: 5-0

Redevelopment Agency Resolution number R-03971.

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Adoption

6. **Broadway Square-Revised Second Implementation Agreement-Broadway & 9th, LP (Bud Fischer)-Core Redevelopment District of the Expansion Sub Area of the Centre City Redevelopment Project-Public Hearing (District 2)**

(RA 2006-42)

Approve the proposed Second Implementation Agreement to the Owner Participation Agreement between Broadway & 9th, LP and the Redevelopment Agency of the City of San Diego for the Broadway Square affordable housing project located at the southeast corner of Broadway and Ninth Avenue.

See Centre City Development Corporation report no.CCDC-05-37 dated November 9, 2005

Staff: Dale Royal 533-7108
Atty: Susan Y. Cola
Auditor Certificate Number: AC 2600388

No one spoke in opposition to this item.

Motion by Member Peters to approve (with Madaffer not present and Districts 2, 8 and the Chair vacant)
Second by Member Young
Vote: 5-0

Redevelopment Agency Resolution number R-03972.

Deputy Chair Atkins recessed the meeting at 11:08 a.m. for the purpose of a break.

The meeting was reconvened by Deputy Mayo Atkins at 11:16 a.m. with Council Member Madaffer not present and Districts 2, 8, and Mayor vacant.

The meeting adjourned as the City Council at 11:48 a.m. by Deputy Mayor Atkins to reconvene at 2:00 p.m.

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The meeting called to order as the City Council at 2:06 p.m. by Deputy Mayor Atkins with Council Member Madaffer not present and Districts 2, 8, and Mayor vacant.

The meeting adjourned as the City Council at 2:06 p.m.

The meeting was reconvened as the Redevelopment Agency by Deputy Chair Atkins at 2:06 p.m. Member Madaff not present and Districts 2, 8 and Chair vacant.

Adoption

5. **Approval Agreement with the City of San Diego for Payment into the Habitat Acquisition Fund to Mitigate Impacts to Upland Habitat (District 4)**

(RA 2006-39)

That the Redevelopment Agency approves an Agreement with the City of San Diego for payment into the Habitat Acquisition Fund, in the amount of \$195,375,00, to mitigate impacts to Upland Habitat in the Valencia Business Park.

See Southeastern Economic Development Corporation report no. SEDC-05-014, dated November 9, 2005.

Staff: Laura Roman 527-7345

Atty: Carol A. Leone

Auditor Certificate Number: AC 2600350

Motion by Member Young to approve (with Madaffer not present and Districts 2, 8 and the Chair vacant)

Second by Fyre

Vote: 5-0

Redevelopment Agency Resolution and Document numbers R-03973 and D-03973.

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Adoption

7. Approval of Actions Necessary for NTC Foundation to Apply for New Market and Historic Tax Credits (District 2)

RA-2006-47

- Subitem 1. Approve an assignment of the NTC Foundation's rights and obligations, under the NTC Disposition and Development Agreement, to NTC Liberty Station, Inc. as to specific buildings in the NTC Civic, Arts and Cultural Center.
- Subitem 2. Consent to the proposed assignment and assumption of the lease to Buildings 177 and 200 from NTC Foundation to NTC Liberty Station, Inc. and the proposed subleases to NTC Tenant, L.P.
- Subitem 3. Authorize the Redevelopment Agency to enter into ground leases with NTC Liberty Station, Inc. for Buildings 175, 176, 201 and 202 and the proposed subleases to NTC Tenant, L.P.
- Subitem 4. Authorize the Executive Director or designee to subordinate the Agency's leasehold deed of trust relating to the Rehabilitation Grant Agreement to Clearinghouse NMTC (Sub 8), LLC, a California Limited Liability Company as a qualified lender under the DDA, and a permitted leasehold mortgagee; and assignment of the Rehabilitation Grant Agreement to Wells Fargo Community Development Corporation, a Nevada corporation as security for the Bridge Loan; and execute such Consent, Estoppel, Assignments and Subordination Agreements including the Assignment of Rehabilitation Grant Agreement, Subordination and Consent Agreement, and the Subordination Intercreditor Agreement relating to the NTC Foundation's proposed financing as attached in substantial form as the Executive Director or designee may deem necessary or appropriate.

See Redevelopment Agency report no. RA-05-34, dated November 9, 2005

Staff: Libby Day 533-5372

Atty: Rachel Witt

Libby Day, project manager, Redevelopment Division, presented staff report and slide presentation.

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Adoption

7. Approval of Actions Necessary for NTC Foundation to Apply for New Market and Historic Tax Credits (District 2)

(Continued)

Mike Lengard, Economic & Development Division, presented tax credit information.

Eugene Cown, NTC Foundation, legal counsel, available to answer questions.

Public testimony in opposition by Jarvis Ross, John McNab. Mignon Schere not present.

Public testimony in favor by Alan Ziter, Steve Mueller.

Motion by Member Fyre to continue to November 22, 2005 for additional information ((with Districts 2, 8 and the Chair vacant)

Second by Member Madaffer

Vote: 6-0

Adjournment

The meeting adjourned as the Redevelopment Agency at 3:15 p.m.

Elizabeth S. Maland, Secretary Redevelopment Agency
of the City of San Diego
(jis)